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25 **UNITED STATES DISTRICT COURT**
 26 **NORTHERN DISTRICT OF CALIFORNIA**
 27 **SAN FRANCISCO DIVISION**

28 MARC OPPERMAN, et al.,
 Plaintiffs,
 v.
 KONG TECHNOLOGIES, INC., et al.
 Defendants.

Case No. 13-cv-00453-JST

CLASS ACTION

**DECLARATION OF LANA LUCCHESI
 IN RESPONSE TO UNOPPOSED
 ADMINISTRATIVE MOTION FOR
 DIRECTION REGARDING POTENTIALLY
 FRAUDULENT CLAIMS**

THIS DOCUMENT ALSO RELATES TO:
Hernandez v. Path, Inc., No. 12-cv-1515-JST
Gutierrez v. Instagram, Inc., No. 12-cv-6550-JST
 (collectively, the "Related Actions")

1 I, **LANA LUCCHESI**, declare:

2 1. I am a Senior Project Manager at KCC Class Action Services, LLC ("KCC"). I
3 am over 21 years of age and am not a party to this action. I have personal knowledge of the facts
4 set forth herein and, if called as a witness, could and would testify competently thereto.

5 2. The purpose of this declaration is to provide the Parties and the Court with
6 updated details and the result of KCC's evaluation of the potentially duplicative/fraudulent
7 claims previously identified.

8 3. On December 21, 2017, KCC emailed the email notice in the form set forth in the
9 administrative motion to all 5,924 potentially duplicative/fraudulent claimants with a one-week
10 expiration period to submit proof of identity. A sample of this email notice is attached hereto as
11 Exhibit A.

12 4. As of the date of this declaration, KCC has received two responses to the email
13 notice that attached a government-issued ID. KCC performed a review of these two responses
14 and their proof of identity documents, and upon its review, observed the following:

- 15 a. Each response provided a government-issued ID with an address that did
16 not match the address provided on the claim submissions.
- 17 b. One response received was included in the potentially
18 duplicative/fraudulent claims group that involved claims that used a single
19 IP address, and appear to refer to only one person, including minor
20 variations on the first name, last name, and addresses, such as "STEPHEN
21 GALIK GALIK" and "S MC GALIK GALIK."
- 22 c. The other response received was included in the potentially
23 duplicative/fraudulent claims group that involved claims being filed and
24 submitted by individual(s) using different mailing addresses (using
25 variations on name, address and city to attempt to avoid detection) but the
26 same exact IP address. KCC determined that the person identified in the
27 government-issued ID had separately submitted a claim that was not
28 flagged as fraudulent and from the correct address. KCC contacted this
individual and verified that the separate claim was submitted by him

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(which is why he returned an ID to the email), but that he had no connection to the address on the suspected fraudulent claim. Based on this, KCC has concluded that the potentially fraudulent claim from the suspicious email address was fraudulent, and just coincidentally linked to an actual person who submitted a valid claim.

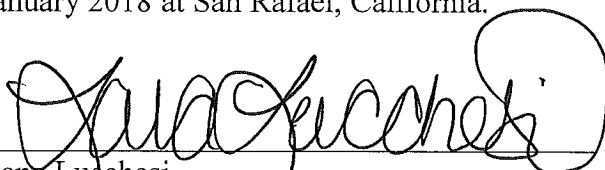
5. Based upon the evaluation of these two responses, KCC believes these two claims are not likely to have been submitted by Settlement Class Members and should be considered invalid for that reason.

6. Pursuant to the Court's order (ECF No. 918) KCC has also compiled all information in its possession regarding the ten largest sources of claims it deems to be fraudulent. That information has been lodged directly with the Court.

7. Based upon the potentially duplicative/fraudulent claims identified, including the two responses evaluated, KCC believes all 5,924 claims should be considered invalid. Based on the Court's prior order authorizing KCC to approve claims validated under this process, and the fact no claims were so validated, KCC is excluding all 5,924 of these claims from the Plan of Allocation.

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Executed on this 11th day of January 2018 at San Rafael, California.



Lana Lucchesi